

**IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.**

C.W.P. No.732 OF 1992 (o&m)  
DATE OF DECISION : 23.7.2013

Harish Chand

PETITIONER

VERSUS

The State of Haryana and another

RESPONDENTS

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present:- Shri Jagdish Manchanda, Advocate for the petitioner.

Ms.Meenakshi Verma, Additional A.G. Haryana.

Shri Atul Lakhanpal, Senior Advocate with Shri Arjun Lakhanpal,  
Advocate.

**MAHESH GROVER, J.**

The petitioner impugns the order of his retrenchment. He was working as a Technical Supervisor with respondent No.2. i.e. the Haryana State Small Industries & Export Corporation Ltd. when he along with other similarly situated persons faced retrenchment. The retrenchment was necessitated on account of the closure of the Corporation which fact is controverted by the counsel for the respondents who contends that only one unit was closed. This plea of the petitioner has been vehemently controverted by the respondents who has asserted that the entire Corporation had since been closed and its operations wound up.

There is no such material on record from where it can be inferred that the Corporation has been wound up. But the counsel for the petitioner certainly admits that one unit of the Corporation has been closed. There is no order to this effect also on record. So even if the statement of the counsel for the petitioner is accepted to be correct, then also there is nothing on record to show that a rehabilitation policy was formulated by the respondents to adjust the retrenched employees. It was incumbent for the petitioner to place on record such a policy in the event of seeking such a benefit therefrom.

In the absence of any such material, this Court has been precluded from evaluating as to whether the petitioner was entitled to rehabilitation more particularly when it has been shown by the respondents that the Corporation or a part thereof employing the petitioner is no longer in existence. Apart from that, even if the best case of the petitioner is accepted, he would have been entitled to adjustment as per the policy, if any and this would have made him entitled to a benefit which today can be termed to be illusory, as he would not have got any monetary benefits from the respondents on account of such an adjustment on the principle of '*no pay for no work*'.

For all intents and purposes, the instant petition has been rendered infructuous as the petitioner who preferred the petition, has expired and the writ petition is being prosecuted by his legal representatives.

For the aforesaid reasons, the writ petition is dismissed as having become infructuous.

July 23, 2013  
GD

(MAHESH GROVER)  
JUDGE